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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,387	03/31/2004	Mihai Florin Ionescu	24207-10091	5527

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801 CALIFORNIA ST.  
MOUNTAIN VIEW, CA 94041

EXAMINER
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NGUYEN, CINDY

ART UNIT	PAPER NUMBER
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2161

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11/24/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/814,387	<b>Applicant(s)</b> IONESCU ET AL.	
	<b>Examiner</b> CINDY NGUYEN	<b>Art Unit</b> 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-12,31 and 35-79 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-12,31 and 35-79 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>09/18/09</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

This is response to amendment filed 06/30/09.

### *Information Disclosure Statement*

The information disclosure statement (IDS) submitted on 09/18/09 is being considered by the examiner.

### *Response to Arguments*

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 5-7, 9-12, 31, 35-56, 58-75, 77-79 are rejected under 35 U.S.C. 102(e) as being anticipated by Hayner et al. (US 20040103409, hereafter Hayner). 8, 57 and 76

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Regarding claims 1, 42 and 61, Hayner discloses: a method, a computer program product and a system for capturing event data associated with a plurality of different types of articles , the articles comprising article data generated by a plurality of different client applications (see col., comprising:

Storing a plurality of different event schema (i.e., screen events/event schema stored in database 120, see paragraphs 0057, lines 5-6; 0055; 0068; 0025, lines 7-8), each event schema associated with at least one of the types of articles ( i.e., recording the events occurring on the screen of the computational device of the user if the user performed a specific action, such as generating a new e-mail/type of article message, see paragraphs 0034, lines 7+; 0028; 0040; 0046; other types of articles such as web page, see paragraph 0057, lines 9+; 0065) and defining a format for storing event data (i.e., screen events/format configuration wizard 132 is an application that enables the user to define which events are to be captured by capture agent 104... see paragraph 0064; 0066, lines 3-6), wherein event data represents user interactions with articles (see paragraph 0046) and is distinct from article data (i.e., event data such as download a web page which is not specified/distinct as being part of an approved list of such page or sites, see paragraph 0057, lines 4+, Hayner);

Detecting an event, the event including a user interaction with an article (i.e., detecting screen event of the computational device, see paragraphs 0028; 0034; 0040. , lines 5+; 0065,Hayner );

Responsive to the event, determining an event schema associated with the type of the article (i.e., determine which screen events and/or associated content/type of the

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article should be logged, or stored in database 120... see paragraphs 0057; 0077, lines 3+, Hayner); and

Storing, in a data store, event data identifies the event and the article using the format defined by the event schema associated with the type of the article (i.e., screen events/event schema stored in database 120, see paragraphs 0057, lines 5-6; 0055; 0068; 0025, lines 7-8, Hayner).

Regarding claims 2, 43 and 62, all the limitations of these claims have been noted in the rejection of claims 1, 42 and 61 above, respectively. In addition, Hayner discloses further comprising transferring the event data to a search application adapted to search event data independently of article data (see paragraph 0065; 0066, lines 3+, Hayner).

Regarding claims 3, 45 and 64, all the limitations of these claims have been noted in the rejection of claims 1, 42 and 61 above, respectively. Hayner discloses further comprising accessing and providing the event data to a requester by a search application in response to a search query submitted by the requester (see paragraphs 0047, lines 8+; 0066, lines 3+, Hayner).

Regarding claims 5, 55 and 74, all the limitations of these claims have been noted in the rejection of claims 1, 42 and 61 above, respectively. In addition, Hayner discloses: wherein determining the event schema comprises accessing a registered event schema (see paragraphs 0078, lines 5+; 0079, Hayner).

Regarding claims 6, 54 and 73, all the limitations of these claims have been noted in the rejection of claims 1, 42 and 61 above, respectively. In addition, Hayner discloses: wherein each event schema indicates information to be captured for at least one application adapted to access or manipulate the article associated with the event schema (see paragraph 0079, lines 4+, Hayner).

Regarding claims 7, 56 and 75, all the limitations of these claims have been noted in the rejection of claims 5, 55 and 74 above, respectively. In addition, Hayner discloses: wherein the registered event schema is an extension of another registered event schema (i.e., capturing screen events which is event driven, for example, for an event which is related to a window, optionally preferably the parameters include creating a new window, changing the focus for one window to another, destroying a window...see paragraphs 0078, 0079, lines 4+, Hayner).

Regarding claims 9, 58 and 77, all the limitations of these claims have been noted in the rejection of claims 5, 55 and 74 above, respectively. In addition, Hayner discloses: wherein at least one registered event schema is an extension of a predefined base event schema provided by a search application (see paragraph 0066, Hayner).

Regarding claims 10, 46 and 65, all the limitations of these claims have been noted in the rejection of claims 1, 42 and 61 above, respectively. In addition, Hayner discloses: wherein the event further comprises user interactions with a client application or a client device to access the article (see paragraph 0066, lines 7+, Hayner).

Regarding claims 11, 47 and 66, all the limitations of these claims have been noted in the rejection of claims 1, 42 and 61 above, respectively. In addition, Hayner discloses: wherein determining an event schema comprises registering a new event (see paragraph 0079, Hayner).

Regarding claims 12, 44 and 63, all the limitations of these claims have been noted in the rejection of claims 2, 43 and 62 above, respectively. In addition, Hayner discloses: wherein the event data is transferred using one or a combination of the following information exchange mechanisms: Extensible Markup Language-Remote Procedure Calling Protocol (XML/RPC), Hypertext Transfer Protocol (HTTP), Simple Object Access Protocol (SOAP), Shared memory, sockets, local or remote procedure calling (see paragraph 0047, lines 9+, Hayner).

Regarding claims 31, 48 and 67, all the limitations of these claims have been noted in the rejection of claims 1, 42 and 61 above, respectively. In addition, Hayner discloses: further comprising placing the event data in a queue (see paragraph 0080, 0083, 0085) and indexing the event data responsive to its position in the queue (see paragraphs 0057, 0059, 0068,

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0080, 0085), the event data in the format described by one of a plurality of event schemas (see paragraph 0039, lines 7+, Hayner).

Regarding claims 35, 49 and 68, all the limitations of these claims have been noted in the rejection of claims 1, 42 and 61 above, respectively. In addition, Hayner discloses: wherein the event schema describes the format of an event, the format comprising fields for at least one of event data associated with the event, an article associated with the event, or the content of the article (see paragraphs 0039, lines 7+, Hayner).

Regarding claims 36, 50 and 69, all the limitations of these claims have been noted in the rejection of claims 1, 42 and 61 above, respectively. In addition, Hayner discloses: wherein the event is a real-time event (see paragraphs 0024, lines 1-2; 0067, Hayner).

Regarding claims 37, 51, 70, all the limitations of these claims have been noted in the rejection of claims 36, 50 and 69, respectively. In addition, Hayner discloses: wherein the real-time event is selectively indexed by a search application. On the other hand, Bates discloses: wherein the real-time event is selectively indexed by a search application independently of article data (see paragraph 0071, Hayner).



Regarding claims 38, 59 and 78, all the limitations of these claims have been noted in the rejection of claims 5, 55, 74 above, respectively. In addition, Hayner discloses: wherein the registered event schema further comprises a schema identifier (i.e., types of information characterize the captured events, see paragraph 0041) , and wherein the schema identifier and schema are stored in a searchable database (i.e., searchable database 120, see paragraphs 0055, 0057 , Hayner).

Regarding claims 40, 52 and 71, all the limitations of these claims have been noted in the rejection of claims 1, 42 and 61 above, respectively. In addition, Hayner discloses: wherein the event is a historical event, the event having occurred in the past (ie., recording generates chronological /history informaion about the user...see paragraphs 0044, 0071, lines 6+, Hayner).

Regarding claims 39, 60 and 79, all the limitations of these claims have been noted in the rejection of claims 5, 55 and 74 above, respectively. In addition, Hayner discloses: wherein the registered event schema is configured to allow a search application to determine types of event data associated with an event (see paragraph 0041, Hayner).

Regarding claims 41, 53 and 72, all the limitations of these claims have been noted in the rejection of claims 1, 42 and 61 above, respectively. In addition, Hayner discloses: wherein storing further comprises storing associations between related events (see paragraph 0057, lines 5+, Hayner).

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8, 57 and 76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayner et al. (US 20040103409, hereafter Hayner) in view of Drake et al. (US 6347374, hereafter Drake).

Regarding claims 8, 57 and 76, all the limitations of these claims have been noted in the rejection of claims 5, 55 and 74 above, respectively. In addition, Hayner discloses: wherein at least one registered event schema (see paragraph 0078, 0079). However, Hayner didn't disclose: wherein at least one registered event schema has multiple versions. On the other hand, Drake discloses: multiple versions (see col. 17, lines 3+). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include multiple

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versions in the system of Hayner as taught by drake. The motivation being enabled to update event detects base on the plurality of detection models.

### *Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 571-272-4025. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. N./

Examiner, Art Unit 2161

/A. O./

Primary Examiner, Art Unit 2100